

Isbell	Roberts
Lemens	Shivers
Moore	Spears
Neal	Stone
Nelson	Sulak
Newton	Van Zandt
Oneal	Weinert
Pace	Winfield
Rawlings	Woodruff
Redditt	

The following Senators were absent and excused:

Beck	Small
Hill	Westerfeld

A quorum was announced present.

The invocation was offered by the Chaplain.

Reading of the Journal of the proceedings of yesterday was dispensed with, on motion of Senator Aikin.

Leaves of Absence

Senator Small was granted leave of absence for today and the remainder of this week, on account of important business, on motion of Senator Nelson.

Senator Beck was granted leave of absence for today, on account of important business, on motion of Senator Pace.

Senator Westerfeld was granted leave of absence for today, on account of important business, on motion of Senator Woodruff.

Senator Hill was granted leave of absence for today, on account of illness, on motion of Senator Oneal.

Senate Bill on First Reading

The following Senate bill was introduced, read first time, and referred by the President to the Committee on Criminal Jurisprudence:

By Senator Van Zandt:

S. B. No. 8, A bill to be entitled "An Act to amend Article 619 of Chapter 6, Title 11, Penal Code of the State of Texas, as enacted in 1925; and declaring an emergency."

At Ease

On motion of Senator Redditt, the Senate, at 10:05 o'clock a. m., agreed to stand at ease subject to the call of the President.

Recess

The President called the Senate to order at 11:05 o'clock a. m.

On motion of Senator Moore, the Senate, at 11:05 o'clock a. m., took recess to 10:00 o'clock a. m. tomorrow.

EIGHTH DAY—(Continued)

(Thursday, June 10, 1937)

The Senate met at 10:00 o'clock a. m., and was called to order by the President.

Leaves of Absence

Senator Burns was granted leave of absence for today, on account of important business, on motion of Senator Pace.

Senator Head was granted leave of absence for today, on account of important business, on motion of Senator Moore.

Message From the House

A Clerk from the House was recognized to present the following message:

Hall of the House of Representatives,
Austin, Texas, June 10, 1937.
Hon. Walter F. Woodul, President of the Senate:

Sir: I am directed by the House to inform the Senate that the House has passed the following resolution:

H. C. R. No. 12, Permitting both Houses of the Legislature to stand adjourned until 10:00 o'clock a. m., Monday, June 14, 1937.

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

House Concurrent Resolution No. 12

The President laid before the Senate the following resolution received from the House today:

H. C. R. No. 12, Authorizing each House of the Legislature to adjourn from June 10, 1937, to June 14, 1937.

The resolution was read, and by unanimous consent, it was considered at this time and was adopted.

Congratulating Senator and Mrs. Burns

On motion of Senator Cotten and by unanimous consent, it was ordered that the Secretary of the Senate send a telegram to Senator Gordon M. Burns and Mrs. Burns, congratulating them upon the birth of their daughter.

Recess

On motion of Senator Stone, the Senate, at 10:10 o'clock a. m., took recess to 10:45 o'clock a. m. today.

After Recess

The President called the Senate to order.

Report of Standing Committee

Senator Stone, by unanimous consent, submitted the following report on S. B. No. 2:

Committee Room,
Austin, Texas, June 10, 1937.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred

S. B. No. 2, A bill to be entitled "An Act defining and prohibiting the offenses of 'book making' and of 'pursuing the business of book making'; making it unlawful to permit the use of certain property in connection with book making; prohibiting and regulating the use of certain methods of communication in connection with or in aid of book making; declaring certain property used in connection with book making to be a public nuisance and providing procedure for the abatement of that nuisance; authorizing conviction for any offense under this Act upon the uncorroborated testimony of an accomplice; and exempting from prosecution accomplices who testify; providing the quantum of proof and allegation upon trial of cases arising under this Act; prescribing penalties for a violation of the several provisions hereof; making the provisions of this Act cumulative of existing laws; providing a saving or severance clause; and declaring an emergency."

Have had the same under consideration, and I am instructed to re-

port it back to the Senate with the recommendation that the original bill do not pass, but that the committee's substitution do pass in lieu thereof, and be printed by mimeograph.

STONE, Chairman.

Motion to Adjourn

Senator Spears moved that the Senate adjourn until 10:00 o'clock a. m. next Monday, June 14, 1937.

Yeas and nays were demanded, and the motion was lost by the following vote:

Yeas—6

Brownlee	Spears
Lemens	Sulak
Nelson	Winfield

Nays—17

Aikin	Oneal
Collie	Pace
Cotten	Rawlings
Hill	Roberts
Holbrook	Stone
Isbell	Weinert
Moore	Westerfeld
Neal	Woodruff
Newton	

Absent

Davis	Van Zandt
Shivers	

Absent—Excused

Beck	Redditt
Burns	Small
Head	

Committee Substitute for Senate Bill No. 2 on Second Reading

Senator Woodruff moved that Senate Rule No. 48 be suspended to permit consideration and passage, at this time, of C. S. for S. B. No. 2.

The motion prevailed by the following vote:

Yeas—27

Aikin	Holbrook
Brownlee	Isbell
Collie	Lemens
Cotten	Moore
Davis	Neal
Hill	Nelson

Newton
Oneal
Pace
Rawlings
Redditt
Roberts
Shivers
Spears

Stone
Sulak
Van Zandt
Weinert
Westerfeld
Winfield
Woodruff

Absent—Excused

Beck
Burns

Head
Small

The President laid before the Senate, on its second reading and passage to engrossment:

C. S. for S. B. No. 2, A bill to be entitled "An Act defining and prohibiting the offenses of 'book making' and of 'pursuing the business of book making'; making it unlawful to permit the use of certain property in connection with book making; prohibiting and regulating the use of certain methods of communication in connection with or in aid of book making; declaring certain property used in connection with book making to be a public nuisance and providing procedure for the abatement of that nuisance; authorizing conviction for any offense under this Act upon the uncorroborated testimony of an accomplice; and exempting from prosecution accomplices who testify; providing the quantum of proof and allegation upon trial of cases arising under this Act; prescribing penalties for a violation of the several provisions hereof; making the provisions of this Act cumulative of existing laws; providing a saving or severance clause; and declaring an emergency."

The bill was read second time.

(Senator Collie in the Chair.)

The bill was passed to engrossment.

Committee Substitute for Senate Bill No. 2 on Third Reading

Senator Van Zandt moved that the constitutional rule requiring bills to be read on three several days be suspended and that C. S. for S. B. No. 2 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—27

Aikin
Brownlee
Collie
Cotten
Davis
Hill
Holbrook
Isbell
Lemens
Moore
Neal
Nelson
Newton
Oneal

Pace
Rawlings
Redditt
Roberts
Shivers
Spears
Stone
Sulak
Van Zandt
Weinert
Westerfeld
Winfield
Woodruff

Absent—Excused

Beck
Burns

Head
Small

The Presiding Officer then laid C. S. for S. B. No. 2 before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—26

Aikin
Brownlee
Collie
Cotten
Davis
Hill
Holbrook
Isbell
Lemens
Moore
Neal
Nelson
Newton

Oneal
Pace
Rawlings
Roberts
Shivers
Spears
Stone
Sulak
Van Zandt
Weinert
Westerfeld
Winfield
Woodruff

Absent—Excused.

Beck
Burns
Head

Redditt
Small

Explanatory Note

Senator Burns was absent today on account of the arrival in his household of a fine daughter. He requests me to let the record show he would have voted "yea" on this bill.
PACE.

Motions to Adjourn

Senator Stone moved that the Senate adjourn until 10:00 o'clock a. m. tomorrow.

Senator Spears moved that the Senate adjourn until 10:00 o'clock a. m. Monday, June 14, 1937.

Question first recurring on the motion of Senator Spears, yeas and nays were demanded.

The motion was lost by the following vote:

Yeas—5

Davis	Westerfeld
Nelson	Winfield
Spears	

Nays—21

Aikin	Oneal
Brownlee	Pace
Collie	Rawlings
Cotten	Roberts
Hill	Shivers
Holbrook	Stone
Isbell	Sulak
Lemens	Van Zandt
Moore	Weinert
Neal	Woodruff
Newton	

Absent—Excused

Beck	Redditt
Burns	Small
Head	

Question next recurring on the motion of Senator Stone, it was lost.

Motion to Discharge Conferees

Senator Hill submitted the following motion in writing:

I move that the Senate conferees on H. B. No. 1 be discharged; that a new committee be appointed and that said new committee be instructed to delete from said bill all items, except mileage and per diem.

HILL.

(President in the Chair.)

Senator Van Zandt raised the point of order that the motion of Senator Hill may not be considered at this time, because the Conference Committee on H. B. No. 1 has not yet submitted its report.

The President overruled the point of order.

Question—Shall the motion of Senator Hill prevail?

Senate Bill on First Reading

By unanimous consent, the following bill, at this time, was introduced, read first time and referred to the Committee on Finance:

By Senator Van Zandt:

S. B. No. 9, A bill to be entitled "An Act providing for the support and maintenance of the Department of Agriculture until August 31, 1937, reappropriating certain unexpended balances in certain special funds in the State Treasury to the support and maintenance of said Department of Agriculture for the ensuing biennium ending August 31, 1939, making other provisions therefor; providing and giving the Commissioner of Agriculture certain authority, relating to State owned jacks and stallions; providing for the assignment of State owned jacks and stallions by the county commissioners' court to caretakers; providing for the care and maintenance of such jacks and stallions and the payment of salaries for caretakers thereof; providing for title to such jacks and stallions; providing for the collection of breeding fees; providing for the remittance of part of such breeding fees to the Commissioner of Agriculture and for the disposition of such fees by the Commissioner of Agriculture; providing for the appointment of a supervisor of jacks and stallions by the Commissioner of Agriculture and the payment of said supervisor's salary and all expenses incident to the supervision of jacks and stallions; providing for the refunding of certain breeding fees incident to the breeding seasons of 1936 and 1937, and for the transfer of present funds by the Comptroller and Treasurer, and declaring an emergency."

Recess

On motion of Senator Holbrook, the Senate, at 12:30 o'clock p. m., took recess to 2:30 o'clock p. m. today.

Afternoon Session

The Senate met at 2:30 o'clock p. m. and was called to order by the President.

Motion to Discharge Conferees

The Senate resumed consideration

of the motion of Senator Hill, relating to further consideration of differences between the two Houses on H. B. No. 1.

Question—Shall the motion prevail?

At Ease

On motion of Senator Weinert, the Senate, at 2:35 o'clock p. m., agreed to stand at ease to 3:15 o'clock p. m. today.

The President called the Senate to order at 3:15 o'clock p. m.

Report of Standing Committee

Senator Stone, by unanimous consent, submitted at this time the following report:

Committee Room,
Austin, Texas, June 10, 1937.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred

S. B. No. 3, A bill to be entitled "An Act making it unlawful to bet or wager money or anything of value upon any dog race, or upon the result of any race, speed, skill or endurance contest between dogs, to be run or held in this State or elsewhere; providing a penalty, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that the original bill do not pass, but that the committee substitute bill do pass, and be not printed.

STONE, Chairman.

Motion Withdrawn

Senator Hill, by unanimous consent, withdrew his motion, relative to further consideration of the differences between the two Houses on H. B. No. 1.

Committee Substitute for Senate Bill No. 3 on Second Reading

On motion of Senator Stone, and by unanimous consent, Senate Rule No. 31a and Senate Rule No. 48 were suspended severally, to permit consideration and passage by the Senate at this time of the following bill:

C. S. for S. B. No. 3, A bill to be entitled "An Act making it unlawful to bet or wager money or anything of value upon any dog race, or upon the result of any race, speed, skill or endurance contest between dogs, to be run or held in this State or elsewhere; providing a penalty and declaring an emergency."

Be it enacted by the Legislature of the State of Texas:

Section 1. It shall hereafter be unlawful for any person to bet or wager any money or other thing of value upon any dog race, or upon the result of any race, speed, skill, or endurance contest, of, by or between dogs, run or to be run or held in this State or elsewhere.

Sec. 2. Whoever violates any provision of this Act shall upon conviction be fined not less than Two Hundred (\$200) Dollars nor more than Five Hundred (\$500) Dollars and be imprisoned in jail not less than thirty days nor more than ninety days.

Sec. 3. The fact that the Appellate Courts of this State have held that betting upon races to be run by dogs is not now in violation of law and the further fact that the practice of running dog races in this State on which money is bet has become a wide-spread practice and the further fact that the Governor has called the Legislature in an extraordinary session creates an emergency and an imperative public necessity that the Constitutional Rule requiring a bill to be read on three (3) several days in each house be suspended, and said rule be and is hereby suspended, and that this Act shall have effect and be in force from and after its passage and it is so enacted.

The President laid the bill before the Senate, it was read second time and was passed to engrossment.

Committee Substitute for Senate Bill No. 3 on Third Reading

Senator Van Zandt moved that the constitutional rule requiring bills to be read on three several days be suspended and that C. S. for S. B. No. 3 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Oneal
Brownlee	Pace
Collie	Rawlings
Cotten	Redditt
Davis	Roberts
Hill	Shivers
Holbrook	Stone
Isbell	Sulak
Lemens	Van Zandt
Moore	Weinert
Neal	Westerfeld
Nelson	Winfield
Newton	Woodruff

Absent—Excused

Beck	Small
Burns	Spears
Head	

The President laid C. S. for S. B. No. 3 before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—26

Aikin	Oneal
Brownlee	Pace
Collie	Rawlings
Cotten	Redditt
Davis	Roberts
Hill	Shivers
Holbrook	Stone
Isbell	Sulak
Lemens	Van Zandt
Moore	Weinert
Neal	Westerfeld
Nelson	Winfield
Newton	Woodruff

Absent—Excused

Beck	Small
Burns	Spears
Head	

Explanatory Note

Senator Burns was unavoidably absent today, but if present, would have voted "yea" on the final passage of this bill, and requested that I let the record so show.

PACE.

Relating to Adjournment Sine Die

Senator Moore offered the following resolution:

S. C. R. No. 4, Be it resolved by the Senate of Texas, the House of Representatives concurring, That the First Called Session of the Forty-fifth Legislature stand adjourned sine die, Wednesday, June 16, 1937, at 6:00 o'clock p. m.

The resolution was read.

Question—Shall the resolution be adopted?

Yeas and nays were demanded, and the resolution was adopted by the following vote:

Yeas—14

Aikin	Rawlings
Collie	Roberts
Davis	Shivers
Holbrook	Stone
Moore	Van Zandt
Neal	Weinert
Pace	Woodruff.

Nays—10

Brownlee	Nelson
Cotten	Newton
Hill	Oneal
Isbell	Sulak
Lemens	Westerfeld

Absent—Excused

Beck	Small
Burns	Spears
Head	Winfield
Redditt	

Senator Woodruff moved to reconsider the vote by which the resolution was adopted and asked to have the motion to reconsider spread upon the Journal.

Senator Moore called up for consideration at this time, the motion to reconsider the vote by which the resolution was adopted, and moved to table the motion.

Question—Shall the motion to table prevail?

Adjournment

Senator Roberts moved that the Senate adjourn until 2:00 o'clock p. m., Monday, June 14, 1937.

Yeas and nays were demanded, and the motion prevailed by the following vote:

Yeas—16

Aikin	Neal
Collie	Nelson
Cotten	Newton
Davis	Oneal
Hill	Roberts
Holbrook	Sulak
Isbell	Westerfeld
Lemens	Woodruff

Nays—8

Brownlee	Shivers
Moore	Stone
Pace	Van Zandt
Rawlings	Weinert

Absent—Excused

Beck	Small
Burns	Spears
Head	Winfield
Redditt	

The Senate, accordingly, at 3:50 o'clock p. m., adjourned until 2:00 o'clock p. m., Monday, June 14, 1937.

NINTH DAY

(Monday, June 14, 1937)

The Senate met at 2:00 o'clock p. m., pursuant to adjournment, and was called to order by President Woodul.

The roll was called and the following Senators were present:

Aikin	Newton
Beck	Oneal
Brownlee	Pace
Collie	Rawlings
Cotten	Redditt
Davis	Roberts
Head	Shivers
Hill	Small
Holbrook	Spears
Isbell	Stone
Lemens	Weinert
Moore	Westerfeld
Neal	Winfield
Nelson	Woodruff

The following Senators were absent and excused:

Burns	Van Zandt
Sulak	

A quorum was announced present.

The invocation was offered by the Chaplain.

Reading of the Journal of the proceedings of the Eighth Legislative day was dispensed with, on motion of Senator Roberts.

Leaves of Absence

Senator Burns was granted leave of absence for today, on account of important business, on motion of Senator Shivers.

Senator Sulak was granted leave of absence for today, on account of important business, on motion of Senator Aikin.

Senator Van Zandt was granted leave of absence for today, on account of important business, on motion of Senator Pace.

Report of Standing Committee

The report of the Committee on Finance on H. C. R. No. 2 was submitted by Senator Redditt.

Senate Concurrent Resolution No. 5

Senator Holbrook offered the following resolution:

Whereas, The Forty-fourth Legislature of the State of Texas appropriated \$1,200,000.00 out of a \$3,000,000.00 Centennial appropriation for the purpose of erecting in the City of Dallas a Hall of State, which was to be used for the benefit of the public as a shrine commemorating and celebrating the heroic deeds of our ancestors; and

Whereas, The law recited that the City of Dallas was to lease this building for a period of twenty years at a rental of \$100.00 per year and to insure, repair and protect the said building and to use it for the purposes expressed in the law at the time the appropriation was made; and

Whereas, The Legislature was led to believe by the Central Centennial Committee of Dallas that the City of Dallas was ready and willing to take over the building as set out in the law if the \$3,000,000.00 was appropriated; and

Whereas, The City of Dallas has failed and refused to carry out the terms of the law either in spirit or letter by failing and refusing to sign the contract which was prepared by the Attorney General of Texas, as provided by law, and presented to the City of Dallas by the State Board of Control; and